

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on October 1, 2003, and the references cited therewith.

Claims 1, 13, and 16-20 are amended; as a result, claims 1-20 are now pending in this application.

Claim Objections

Claim 17 is objected to because of the following informalities: Claim 17 is shown to be dependent upon itself. Appropriate correction has been made.

§102 Rejection of the Claims

Claims 1-9, and 12-20 were rejected under 35 USC § 102(b) as being anticipated by Autry, et al. (U.S. Patent No. 5,724,106).

Applicant's independent claims 1 and 13, as amended, recite in part:

wherein the influence on operation can include enabling a user to interact with at least one electronic device not coupled to the computer device.

and

Applicant's independent claim 16, as amended, recites in part:

allows interaction with at least one electronic device not coupled to the computer device.

In the office action dated October 1, 2003 (hereinafter "Office Action"), the Examiner cited the Autry reference as describing the elements and limitations of Applicant's independent claims 1, 13, and 16.

Autry appears to describe a hand held remote control device for use in controlling a cursor displayed on a monitor as part of a graphical user interface into a home entertainment system controlled by a computer system (See col. 3, lines 40-44). The computer system including a graphical user interface support the

functionality of the remote control (See col. 3, lines 43-47). That is, the Autry device appears to describe a remote control for a home entertainment system controlled by a computer (See col. 4, lines 25-30). Specifically, the remote device described by Autry includes a computer with an RF receiver capable of receiving RF signals from the remote device (See col. 7, line 20; col. 12, line 66 to col. 13, line 2). RF signals are transmitted from the remote device by pressing keys on the device and the RF signals are received by the RF receiver of the computer which decodes the signals and routes them to an appropriate port for processing (See col. 7, lines 23-26). For example, if the hand held remote of the Autry device is activated, the key signals can send a signal to cause a recorded program to fast forward or reverse, the fast forward or reverse being controlled by the computer (See col. 7, lines 30-33).

In sum, the Autry reference appears to describe a remote control device capable of controlling other devices through a computer. However, Autry does not describe a pointing device communicatively coupled to a computer and capable of influencing an operation of an electronic device, wherein the influence on operation can include enabling a user to interact with at least one electronic device not coupled to the computer device.

In contrast, Applicant's independent claims 1 and 13, as amended, recite the influence on operation can include enabling a user to interact with at least one electronic device not coupled to the computer device. And, Applicant's independent claim 16, as amended, recites allows interaction with at least one electronic device not coupled to the computer device. That is, the Applicant's pointing device can be coupled to a computer and capable of controlling an electronic device not coupled to the computer.

As such, each and every element of Applicant's independent claims 1, 13, and 16, as amended, are not provided in the Autry reference and thus, the reference does not support a 102 rejection. Accordingly, reconsideration and withdrawal of the 102 rejection for independent claims 1, 13, and 16, as well as those claims which depend therefrom, is respectfully requested.

§103 Rejection of the Claims

Claims 10 and 11 were rejected under 35 USC § 103(a) as being unpatentable over Autry, et al. (U.S. Patent No. 5,724,106).

Claims 10 and 11 depend from allowable independent claim 1. For the reasons stated above in connection with the 102 rejection, Applicant believes that independent claim 1, as amended, is allowable. Since claims 10 and 11 depend from allowable independent claim 1, reconsideration and withdrawal of the 103 rejection is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

If necessary, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS NON-FEE AMENDMENT** Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 3rd day of December, 2003.

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